

REMARKS

In the pending Office Action, Examiner Cariaso has initially rejected pending claims 1-14. Each claim was rejected over the McClanahan reference (U.S. Patent Application Publication No. 2003/0202341), either by itself or in conjunction with another reference. Claims 8 and 9 were additionally rejected as allegedly anticipated by the Takasu reference (U.S. Patent Application Publication No. 2002/0027777). These initial rejections are respectfully traversed for at least the reasons noted below. Reconsideration of this application and passage to allowance is respectfully requested.

A declaration of the inventors under Rule 131 is being filed with this response. The declaration makes it clear that the subject matter disclosed and claimed herein was conceived and reduced to practice prior to the 102(e) date to which the McClanahan reference is entitled. Accordingly, withdrawal of the McClanahan reference, and withdrawal of the rejections of claims 1-14 based on that reference, is respectfully requested. Further, Applicants reserve the right to provide evidence to antedate other references if warranted.

Turning now to Examiner Cariaso's rejection of claims 8 and 9 over Takasu, that reference does not show all elements of those claims. Takasu discloses a headset having an extension leading out from one of the headset's speakers, and on the end of the extension a light is placed. With the Takasu headset, a person can listen to music while the light at the end of the extension permits reading of a book. Takasu does not show or suggest a kit for retrofitting anything. Rather, Takasu simply discloses its headset, and does not teach or suggest being able to take another headset and fit it with lights and/or other features.

The Takasu reference lacks other aspects of claim 8 and its dependent claims as well. For example, it does not show or suggest a circuit diagram. The figures of Takasu cannot be

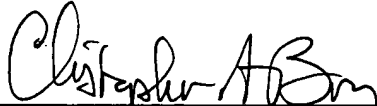
considered a circuit diagram, and there is no disclosure in the text of providing such a diagram. Takasu also does not disclose a drilling template for altering an existing headset. For at least these reasons, Takasu does not anticipate any of claims 8-11.

Examiner Cariaso also objected to the drawings and specification in this case, requesting antecedent basis for the “adaptor” recited in claim 1. A new drawing sheet with amended Figure 1 is enclosed, and amendments to the specification have been made as noted above. The disclosure in this application, with its discussions of headsets, speakers, microphones, signals, wires, and connections, as well as the example of using such headsets while piloting or flying in an aircraft, adequately informs those of ordinary skill in this art that the inventors had possession of a device with an adaptor, such as one to plug into a jack in an airplane control panel or sound system. Such persons know that the devices disclosed in this application include such adaptors. Under the guidelines of at least MPEP 2163.07 and 2163.07(a), these amendments to the specification and drawings do not add new matter.

No amendments have been made to the claims in this application. Applicants are entitled to the full scope of the claims indicated by their language as well as the full scope of equivalents available under the doctrine of equivalents. No admissions as to the applicability of any reference to the claims of this application are being made.

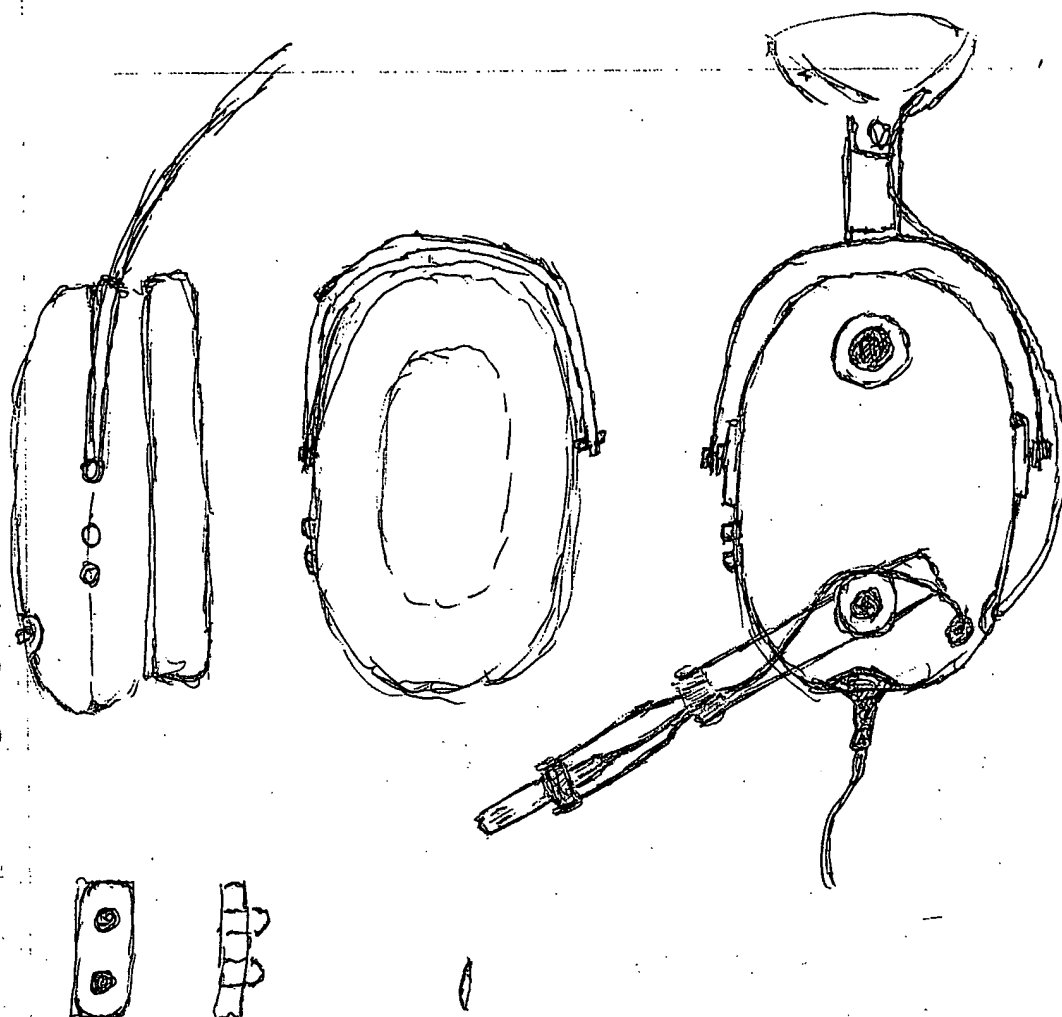
In conclusion, Examiner Cariaso is respectfully requested to withdraw the McClanahan reference based on the evidence submitted herewith, and to withdraw the rejection over Takasu for at least the reasons noted above. Consequently, the claims in this case should be allowed. If any further issues exist, the Examiner is invited to call the undersigned counsel to address them.

Respectfully submitted,

By: 
Christopher A. Brown, Reg. No. 41,642
Woodard, Emhardt, Moriarty
McNett & Henry LLP
Bank One Center/Tower
111 Monument Circle, Suite 3700
Indianapolis, Indiana 46204-5137
(317) 634-3456

040031-000006.CAB.347662

Best Available Copy



3

[REDACTED]